

SELF-SERVICE CENTER

PROCEDURE: HOW TO SERVE THE COURT PAPERS BY PUBLICATION

STEP 1: PUBLISH THE COURT PAPERS.

A. How to serve the court papers by publication if you do not know if the other party lives in the county in which your case is pending (Maricopa County) and/or the other party's last known address was not in Arizona.

1. IF YOU ARE PAYING THE COSTS TO PUBLISH, USE ANY PAPER OF GENERAL CIRCULATION not limited to those listed below, but they must use a format acceptable to the Court. Publications that regularly publish legal notices that are familiar with the requirements include the following:

a. **THE RECORD REPORTER.** Call (602) 417-9900 to determine the cost of publishing your legal ad and to confirm how you wish to pay. Visa, MasterCard, Discover, American Express, and checks or money orders made payable to the Record Reporter, are accepted. The cost, for example, of publishing a Summons in a divorce case is \$65.33 (as of 2/6/2006).

Mail or deliver payment and the letter that is attached to this form along with a copy of the documents you filed with the Clerk, to: Record Reporter, Legal Advertising, 1505 N. Central, Suite 200, Phoenix 85004.

b. **THE ARIZONA BUSINESS GAZETTE.** Call (602) 444-7315 to determine the cost of publishing your legal ad and to confirm how you wish to pay. Visa, MasterCard, Discover, checks and money orders, are accepted.

Mail payment and the letter that is attached to this form along with a copy of the documents you filed with the Clerk, to:
Arizona Business Gazette, Legal Advertising, P. O. Box 194, Phoenix, AZ 85001,
OR if you have already arranged payment, you may fax the documents to (602) 444-7364. **OR,**

You may deposit the above in the DROP BOX near the Clerk of Superior Court's filing counter at 201 W. Jefferson in Phoenix.

OR,

2. If you have a Court Order **DEFERRING SERVICE COSTS**, you **MUST** use **THE ARIZONA BUSINESS GAZETTE**. (602-444-7315). Follow the instructions in "b", above and include the **Certified Order Deferring Publication Fees** with the other papers delivered to The Gazette.

Notice: There is a filing fee for all Petitions and there are Service Fees. You may request a **"Waiver or Deferral"** of the Filing Fees (and the Sheriff's Service Fees if you intend to use the Sheriff's Office for service) or publication fees at the time you file your papers with the Clerk of the Court.

B. How to publish service if the other party's last known address is in Arizona and that address is not in the county in which your case is pending:

1. You must publish in the county in which your case is pending and you must publish in a newspaper in the county of the last known residence of the person to be served.
2. To publish in Maricopa County follow the instructions in "A" above how to publish service of process if the other party lives in the same county in which your case is pending.
3. To publish in another county (not Maricopa County) you will need to contact a newspaper company in that county.

STEP 2: WAIT. Wait for the newspaper to send you the original of the document called **"AFFIDAVIT OF SERVICE"** in about five weeks.

STEP 3: COMPLETE YOUR PAPERWORK:

- A. **Fill out** the **"AFFIDAVIT SUPPORTING PUBLICATION"**, which is attached. Examples of steps you **MUST** take before you can Serve by Publication: verify the Respondent is not at any last known address(es), talk to Respondent's friends, family members, employer, co-workers, former co-workers or employer(s), or anyone else you think may have a current address. Search telephone directories, the Internet, voter registration records, and obituaries. You may also have to consider hiring a private detective or a company that charges a fee to do computer searches to help you track down the other party.
- B. **ATTACH** a copy of the published notice from the newspaper(s).
- C. **KEEP A COPY** for yourself of the **"AFFIDAVIT SUPPORTING PUBLICATION"**.

STEP 4: FILE THE COURT PAPERS:

- A. File the original of the **"AFFIDAVIT SUPPORTING PUBLICATION"**, and a copy of the publication(s), and;
- B. File the original **"AFFIDAVIT OF SERVICE"** you received from the newspaper(s).

STEP 5: COUNT:

- A. Find out the date the other party was served with the court papers. You can find this date by looking at the date of the first newspaper publication. Then, count the days for the other party to file a Response or Answer. (When counting down the days, start counting with the day after the first day of publication.)
- B. If the other party does not file a Response or Answer within the required time period, read the default packet checklist to see if it applies.
- C. If the other party files a Response or Answer, see a lawyer for help.

Print Name

Print Address

_____, 20
Date

Name of Newspaper

Address

To Whom It May Concern:

I need to publish notice in the newspaper about the following matter: Court Case No. _____
Enclosed is a copy of the following documents stamped by the Clerk of Court (list all the documents here:)

1. _____
2. _____
3. _____

Please publish a Notice in your newspaper about this court case once a week for four successive weeks. Also enclosed is (check one box):

- ☐ A check or money order in the amount of \$ _____ for the cost of the publication as requested.
☐ A certified copy of the Order from the court waiving the publication costs.

When you receive this letter, please call me at _____ to tell me when the first publication will occur. When all four weeks of publication have been completed, please send to me the original and one copy of an Affidavit of Publication.

Thank you for your help in this matter.

Yours truly,

Sign your name

Enclosures:

- ☐ Court documents AND
☐ Check or Money Order OR
☐ Certified copy of Court Order of Waiver/Deferral of Publication Fees